



03/15/01

3-16-01

A

## CHOATE, HALL &amp; STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2891

TELEPHONE (617) 248-5000

FACSIMILE (617) 248-4000

Jc929 U.S. PTO

09/809456



03/15/01

VALARIE B. ROSEN  
DIRECT DIAL: (617) 248-4061  
EMAIL: VBR@CHOATE.COM

March 15, 2001

Box Patent Application

Assistant Commissioner for Patents

Washington DC 20231

**EXPRESS MAIL NO. EL603009932US**Attorney Docket No. 0492611-0383**TRANSMITTAL LETTER – SMALL ENTITY APPLICATION**

Dear Sir:

Please find enclosed a patent application and formal papers as follows:

Applicant(s): Henning Madry, Gordana Vunjak-Novakovic, Stephen B. Trippel, Lisa Freed, and Robert LangerTitle: TISSUE ENGINEERING ENHANCED BY THE TRANSFER OF A GROWTH FACTOR GENENo. Pages Specification: 27; No. Pages Claims 7; No. Pages Drawing 3; No. Pages Abstract 1.

Basic Filing Fee (Small Entity) \$355.00

## Additional Fees:

Total Number of Claims in excess of 20:  $(42 - 20) \times \$9$  \$198.00Number of Independent Claims in excess of 3:  $(5 - 3) \times \$40$  \$80.00

Multiple Dependent Claims: \$.00

Total Filing Fee: \$633.00

Also enclosed are: Petition to Include Color Figures Under 37 CFR 1.84(2)  
Check in the amount of **\$633**  
2 extra copies of color figures

Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

If this application is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would helpfully advance prosecution, please telephone the undersigned at (617) 248-5000. Correspondence should be addressed to the undersigned at Choate, Hall & Stewart, 53 State Street, Boston, MA 02109.

Kindly acknowledge receipt of the foregoing application by returning the self-addressed postcard.

Respectfully submitted,

Valarie B. Rosen, Reg. No. 45,698

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Madry, *et al.* Examiner:  
Express Mail No.: EL603009932US Art Unit:  
Filing Date: herewith Attorney Docket: 0492611-  
0383/MIT9015  
Title: TISSUE ENGINEERING ENHANCED BY THE TRANSFER OF A  
GROWTH FACTOR GENE

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**PETITION TO INCLUDE COLOR FIGURES UNDER 37 C.F.R. 1.84(a)(2)**

Applicant requests that color figures be accepted with this application. The color figures are micrographs of stained sections of engineered tissue. The stains cause the tissue to adopt a specific color indicating extracellular matrix components and other materials that may be present in the tissue. Without color, one could not adequately convey to one skilled in the art the histological effects of the various techniques disclosed in the application, including the techniques of the invention and various experimental controls. Three copies of the color figures are included. The specification of the application contains the statement required by 37 C.F.R. §1.84(a)(2)(iii).

Please charge the \$130.00 petition fee and any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,



Valarie B. Rosen, Ph.D.  
Registration Number 45,698

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: March 15, 2001

3234389\_1.DOC

